

SENATE No. 02012

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act promoting motor vehicle safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol, and Middlesex</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>Paul Adams</i>	<i>17th Essex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Matthew Beaton</i>	<i>11th Worcester</i>
<i>Nicholas Boldyga</i>	<i>3rd Hampden</i>
<i>Angelo D'Emilia</i>	<i>8th Plymouth</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Peter Durant</i>	<i>6th Worcester</i>

<i>Ryan Fattman</i>	<i>18th Worcester</i>
<i>Kimberly Ferguson</i>	<i>1st Worcester</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Steven Howitt</i>	<i>4th Bristol</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Kevin Kuros</i>	<i>8th Worcester</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>James Lyons, Jr.</i>	<i>18th Essex</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>
<i>Daniel Winslow</i>	<i>9th Norfolk</i>
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>John D. Keenan</i>	<i>7th Essex</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Russell Holmes</i>	<i>6th Suffolk</i>
<i>Richard T. Moore</i>	<i>Worcester and Norfolk</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>

SENATE No. 02012

By Mr. Tarr, a petition (subject to Joint Rule 12) (accompanied by bill, Senate, No.) of
Bruce E. Tarr, Bradley H. Jones, Jr., Robert L. Hedlund, Michael R. Knapik and other members of
the General Court for legislation to promote motor vehicle safety. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act promoting motor vehicle safety.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Section 22F of Chapter 90 of the General Laws, as appearing in the 2008
2 Official Edition, is hereby amended by striking out, in line 57, the word “four” and inserting in
3 place thereof the following word:- five.

4 SECTION 2. Section 22F of Chapter 90, as so appearing, is hereby further amended by
5 striking out, in lines 66-68, the following sentence:-

6 An appeal to the superior court may be had, in accordance with the provisions of chapter thirty
7 A, from any order of the registrar of motor vehicles made under the provisions of this section.

8 SECTION 3. Section 22F of Chapter 90, as so appearing, is hereby further amended by
9 inserting at the end thereof the following paragraph:-

10 Any person previously deemed an habitual offender under this section who has not had their
11 license or right to operate a motor vehicle restored to them by the registrar for a period of more
12 than 5 years and who is convicted of operating a motor vehicle while under the influence of
13 intoxicating liquor or narcotic drugs in violation of paragraph (a) of subdivision (1) of section
14 24; operating a motor vehicle recklessly or negligently so that the lives and safety of the public
15 might be endangered; making a false statement in an application for a learner's permit or motor
16 vehicle operator's license or in an application for a registration of a motor vehicle; going away
17 without making known his name, residence and the registration number of his vehicle after
18 knowingly colliding with or otherwise causing injury to any person, other vehicle or property, all
19 in violation of paragraph (a) of subdivision (2) of section 24; operating a motor vehicle after
20 suspension or revocation of the person's motor vehicle operator's license or his right to operate
21 motor vehicles in violation of section 23; operating a motor vehicle without a license in violation
22 of section 10; or the commission of any felony in the commission of which a motor vehicle is
23 used, shall be deemed a level 3 habitual traffic offender and the registrar shall immediately
24 revoke such person's license or right to operate and shall not issue a new license or reinstate the
25 right to operate for a period up to life but not less than 5 years from the date of revocation, nor
26 until such person has satisfactorily completed a driver improvement course approved by the
27 registrar and has passed such examination as to his competence to operate motor vehicles as the
28 registrar may require.

29 Any person previously deemed an habitual offender under this section who has not had their
30 license or right to operate a motor vehicle restored to them by the registrar for a period of more
31 than 5 years and who is convicted of 3 or more convictions of offenses which are required by any
32 provision of law to be reported to the registrar and for which the registrar is authorized or

33 required to suspend or revoke the person's license or right to operate motor vehicles for a period
34 of 30 days or more, shall be deemed a level 2 habitual offender and the registrar shall
35 immediately revoke such person's license or right to operate and shall not issue a new license or
36 reinstate the right to operate to such person for a period of not less than 5 years from the date of
37 revocation nor more than 15 years from such date of revocation, nor until such person has
38 satisfactorily completed a driver improvement course approved by the registrar and has passed
39 such examination as to his competence to operate motor vehicles as the registrar may require.
40 Provided further, that any person previously deemed a level 2 habitual offender under this
41 section who has not had their license or right to operate a motor vehicle restored to them by the
42 registrar for a period of 5 years and is convicted of operating a motor vehicle while under the
43 influence of intoxicating liquor or narcotic drugs in violation of paragraph (a) of subdivision (1)
44 of section 24; operating a motor vehicle recklessly or negligently so that the lives and safety of
45 the public might be endangered; making a false statement in an application for a learner's permit
46 or motor vehicle operator's license or in an application for a registration of a motor vehicle;
47 going away without making known his name, residence and the registration number of his
48 vehicle after knowingly colliding with or otherwise causing injury to any person, other vehicle or
49 property, all in violation of paragraph (a) of subdivision (2) of section 24; operating a motor
50 vehicle after suspension or revocation of the person's motor vehicle operator's license or his
51 right to operate motor vehicles in violation of section 23; operating a motor vehicle without a
52 license in violation of section 10; or the commission of any felony in the commission of which a
53 motor vehicle is used; or 2 or more convictions of offenses which are required by any provision
54 of law to be reported to the registrar and for which the registrar is authorized or required to
55 suspend or revoke the person's license or right to operate motor vehicles for a period of 30 days

56 or more, shall be deemed a level 3 habitual offender and the registrar shall immediately revoke
57 such person's license or right to operate and shall not issue a new license or reinstate the right to
58 operate for a period up to life but not less than 5 years from the date of revocation, nor until such
59 person has satisfactorily completed a driver improvement course approved by the registrar and
60 has passed such examination as to his competence to operate motor vehicles as the registrar may
61 require. The registrar may revoke from any level 3 habitual offender who has had their license
62 or right to operate restored and who commits an automobile law violation, as defined in section 1
63 of chapter 90C, the license or right to operate for a period up to life. The registrar may further
64 issue to any habitual traffic offender who has satisfied the durational license revocation
65 requirements provided for in this section a new license or reinstate such person's right to operate
66 under such terms and conditions as the registrar deems appropriate and necessary. Nothing in
67 this section shall limit the authority of the registrar to revoke a license or right to operate or issue
68 a new license or reinstate the right to operate under section 24 of chapter 90. An appeal to the
69 superior court may be had, in accordance with the provisions of chapter 30A, from any order of
70 the registrar of motor vehicles made under the provisions of this section.